

# EXHIBIT 2

**From:** [Peter Curtin](#)  
**To:** [Kyle D. Stroup](#); [Nathan F. Studeny](#); [Jon W. Groza](#); [Jon J. Pinney](#)  
**Cc:** [Yichen Cao](#); [Campbell, Jay R.](#); [Ostrowski, Carter S.](#); [Elliot Mendelson](#)  
**Subject:** RE: NOCO v. Aukey, et al., 1:20-cv-02322 (ND Ohio) - Deposition Notices for Discussion  
**Date:** Wednesday, December 20, 2023 8:43:00 PM  
**Attachments:** [NOCO v. Aukey - Rule 30\(B\)\(1\) Individual Deposition Notices - Weiner.pdf](#)  
[NOCO v. Aukey - Rule 30\(B\)\(1\) Individual Deposition Notices - Nook.pdf](#)  
[NOCO v. Aukey - Rule 30\(B\)\(1\) Individual Deposition Notices - Weideman.pdf](#)

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Hello Kyle and All –

As previewed in one of my earlier messages, and in advance of our conference regarding transition of counsel, scheduling issues and deadlines tomorrow, we have attached three deposition notices for NOCO employees in their individual capacities. The proposed deposition dates have been left open for discussion by the parties.

If we had to list the proposed deposition dates now, the dates would be January 2<sup>nd</sup> (for Weideman) and January 3<sup>rd</sup> (for Nook), but it makes more sense for both sides to: (a) schedule the individual depositions for later in an agreed-upon further-extended fact discovery period; and (b) coordinate the individual depositions with NOCO's Rule 30(b)(6) deposition because these three witnesses are all likely corporate representatives.

Moreover, Aukey cannot be expected to depose Mr. Weiner (or to conduct a Rule 30(b)(6) deposition of NOCO on damages issues) within the current discovery deadlines. We have completed our initial review of NOCO's November 22, 2023, document production and it appears to us that NOCO has not produced a single document or piece of information related to the unit sales, sales revenue, COGS, or profits of NOCO's jump starters during the period of time relevant to this case (or any other period of time). If we are wrong about this, please identify the relevant documents by Bates-number.

We are also preparing a Rule 30(b)(6) Notice of Deposition to NOCO that we will serve before the end of this week.

Best Regards –

Pete Curtin  
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